

Application Serial No. : 10/803,301
Filed : 18 March 2004
Applicant : Voorhees, W. et al.
Title : METHODS AND STRUCTURE FOR
IMPROVED TRANSFER RATE
PERFORMANCE IN A SAS WIDE PORT
ENVIRONMENT
Art Unit : 2182
Examiner : J. Schneider
Docket Number : 03-0306
Date : 29 May 2007

TELEPHONE INTERVIEW SUMMARY

Applicant submits this telephone interview summary to meet the requirements of 37 C.F.R. § 1.133(b), and according to the requirements listed in MPEP § 713.04.

Date/Type of Interview: telephone interview conducted on 29 May 2007

Examiner: J. Schneider

Name of Applicant's attorney: Dan Fishman

Exhibits shown or demonstrations conducted: None

Claims discussed: 16-22

Prior art discussed: none

General thrust of Examiner's arguments: see below

General thrust of Applicant's arguments: see below

Agreement reached and general nature of the agreement: see below

Proposed amendments: see below

The Examiner contacted the undersigned attorney to suggest an Examiner's amendment to obtain allowance of claims 16-22 rejected under 35 U.S.C. §101 as non-statutory subject matter. In this conference the Examiner proposed dropping the word "typically" from the earlier proposed Examiner's amendment (previously discussed in an interview on 15 May 2007). The undersigned again expressed his strong disagreement with the position of the Patent Office in this regard. However, in hopes of advancing prosecution of this application, the undersigned generally agreed to the Examiner's

proposed Examiner's amendment wherein on page 8 of the specification at first mention of the enhanced driver element 332 of figure 3, it would be stated that the driver is "embodied in a computer readable storage medium" (removing the previously proposed word "typically" prior to "embodied"). The Examiner suggested this amended language would correct the alleged deficiency under §101. The Examiner also agreed that the proposed amendment is intended merely to clarify the tangible embodiment of a software driver module as one possible embodiment of means in claims 16-22. Other possible embodiments (such as an enhanced SAS initiator and/or an enhanced SAS expander) are also intended to be within the scope of claims 16-22 (in particular within the scope of the broader independent claim 16). The Examiner agreed to submit the proposed language as an Examiner's amendment (presumably in conjunction with a Notice of Allowance with stated Reasons for Allowance).

Date: 29 May 2007

/Daniel N. Fishman/
SIGNATURE OF PRACTITIONER

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